

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DOUGLAS PATTERSON,

Plaintiff,

Civil Case Number: 05-CV-71528

v.

PAUL D. BORMAN
UNITED STATES DISTRICT COURT

COUNTY OF WAYNE, WAYNE COUNTY
DEPUTY SHERIFFS MICHAEL WINFREY,
AARON MEDLEY, KENNETH TOTH,
RUSSELL HERR, Individually and in Their
Official Capacities,

Defendants.

_____ /

**ORDER GRANTING IN PART DEFENDANTS' MOTION TO AMEND PRETRIAL
ORDER TO SUBSTITUTE DR. GEORGE WILSON AS DEFENDANT'S MEDICAL
EXPERT AT TRIAL**

Now before the Court is Defendants' Motion to Amend Pretrial Order to Substitute Dr. George Wilson as Defendants' Medical Expert at Trial. (Dkt. No.58).

Having considered Defendants' Motion, the Court **GRANTS IN PART** the Motion to the extent that it specifically limits Dr. Wilson's anticipated testimony to his treatment of Plaintiff and Plaintiff's medical records while he was an inmate at the Wayne County Jail. More specifically, like Plaintiff's expected medical witnesses, Dr. Wilson may testify about his diagnosis and treatment of Plaintiff's condition. He may not render expert opinions outside the scope of his diagnosis and treatment as reflected in the medical records. *See Fielden v. CSX Transportation, Inc.*, 482 F.3d 866, 870-71 (6th Cir. 2007). But where causation testimony is based on facts within the scope of Plaintiff's treatment, such testimony will be permitted. *Id.*

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 28, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 28, 2009.

S/Denise Goodine
Case Manager